

Notice of Allowability

Application No.

10/058,633

Examiner

Louis K. Huynh

Applicant(s)

MEYER ET AL.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the RCE filed 9/7/04 and the AF amendment filed 8/23/04.
2. ☒ The allowed claim(s) is/are 1,8,9,15 and 16.
3. ☒ The drawings filed on 28 January 2002 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None - of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on August 23, 2004 has been entered.

EXAMINER'S AMENDMENT

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

3. Authorization for this examiner's amendment was given in a telephone interview with Mr. Herbert Dubno (19,752) on October 08, 2004.

4. The application has been amended as follows:

In Claim 1:

the status of the claim has been changed from "original" to --currently amended--.

Claim 1 has been replaced with:

1. A method of making bags, comprising the steps of:
advancing a double-layer synthetic resin film web along a transport path;
providing along said transport path a welding station having at least two spaced-apart elongated separation-welding elements extending at a right angle to said path and adapted to simultaneously seam and separate at least two individual bags from said web between said separation-welding elements;

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advancing said double-layer synthetic resin film web and bags separated therefrom stepwise forwardly through said transport path on a first suction belt conveyor which is continuous at least over a length of said first suction belt conveyor encompassing all of said separation-welding elements at a certain stepping frequency and synchronously actuating said separation-welding elements in step with advance of said first suction belt conveyor to simultaneously seam and separate said individual bags from said web and advance said web and said bags on said first suction belt conveyor;

controlling a step length of each advance of said first suction belt conveyor so that said step length is equal to a product ($n \times w$) of the number (n) of said separation-welding elements and a width (w) of said individual bag;

picking up said bags from said first suction belt conveyor at a location downstream of said welding station with a second suction belt conveyor disposed above said first suction belt conveyor;

advancing said second suction belt conveyor synchronously with stepping frequency of the first suction belt conveyor, said second suction belt conveyor being advanced with a stroke length per advance which corresponds to that of said first suction belt conveyor or is slightly greater than the stroke length of said first suction belt conveyor;

collecting said bags from said second suction belt conveyor onto pins of a collecting device having an endless belt extending partly beneath a region of said second suction belt conveyor;

mechanically pressing said bags onto said pins by skids from above said collecting device;

padding said bags in stacks on said pins to form respective pads of said bags;
and

transferring said pads by a robot from said collecting device to packing cartons.

Claim 9 has been replaced with:

9. An apparatus for making bags from a synthetic resin film in the form of a double layer web, said apparatus comprising:
- a first suction belt conveyor receiving said web and transporting said web along a transport path;
 - a welding station along said path having two spaced-apart elongated separation-welding elements extending at a right angle to said path and adapted to simultaneously seam and separate two individual bags from said web between said separation welding elements;
 - a second suction belt conveyor downstream of said welding station and disposed above said first suction belt conveyor for picking up said bags from said first suction belt conveyor; said first suction belt conveyor extending beneath said second suction belt conveyor;
 - drives for said first and second suction belt conveyors for stepping said bags and said web along said first suction belt conveyor and said bags with said second suction belt conveyor synchronously with the stepping of said first suction belt conveyor, said first suction belt conveyor extending without interruption over an entire region encompassing the separation-welding element of said welding station;
 - a pin-stacking device downstream of said welding station for receiving said bags from said second suction belt conveyor, said pin-stacking device comprises a belt provided with pins for receiving stacks of said bags and advancing said stacks of bags; and
 - a knock-off device at an end of said second suction belt conveyor for pressing said bags downwardly onto pins of said pin-stacking device.

5. The following is an examiner's statement of reasons for allowance:

The prior art of record fails to disclose and/or teach a method and an apparatus for making bags comprising in combination a step of actuating at least two spaced apart

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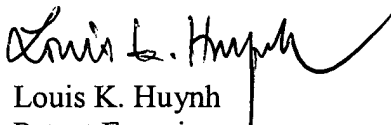
separation-welding elements to simultaneously seam and separate at least two individual bags from a double-layer synthetic resin film web wherein the spaced apart separation-welding elements are provided along and extend at a right angle to the path of the web and are adapted to simultaneously seam and separate at least two individual bags.

6. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Louis K. Huynh whose telephone number is (703) 306-5694.

8. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rinaldi I. Rada can be reached on (703) 308-2187. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

9. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Louis K. Huynh
Patent Examiner
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October 08, 2004